Supreme Court, U.S.
FILED

991161 JAN 11 2000

OFFICE OF THE CLERK

UNITED STATES SUPREME COURT

Harlow Zirkind, Petitioner

- v. -

State of New York; Office of Court Administration, Chief Administrative Justice, E. Leo Milonas; Honorable Philip C. Segal; Honorable Karen S. Burstein; N. G. Berrill, Ph.D.; Mark A. Feldman, Esq.; Stella Arsenakos, Esq.; Mazal Zirkind; Herschel Kurzrock, Secretary for the Rabbinical Alliance of America; Mendel Epstein; Nick Chimenti a.k.a. Nicholas Chimienti; Mapleton-Midwood Communtiy Mental Board, Inc. a.k.a. Mapleton Service, Cyd Martori, Treasurer; Bernadette Cadore, representative of: Commissioner of Social Services, Department of Social Services of New York City and Human Resources Administration of New York City; Michael Infranco, Deputy Commissioner, Support Enforcement Unit

---

On Petition For Writ Of Certiorari

To The United States Court Appeals, Second Circuit 98-9461

Petition For Writ Of Certiorari

Harlow (Givon) Zirkind,
In Propria Persona
547 Wyndham Road
Teaneck, NJ 07666
201-836-7557

470PP

QUESTIONS PRESENTED FOR REVIEW:

1. Can the forgery of a judge's signature by litigants and/or their agents – including officers and clerks of the court, be overlooked, not considered and no contempt hearing be held on the matter where the federal judge and forger can be confronted with the forged document? Especially, when said forger has been caught red-handed in the past tampering with court documents and the filings of litigants in similar type cases against the same defendants? And, when said forgery was done for the express purpose of denying due process to a party, permitting discriminatory policies to not be prosecuted and not allowing federal questions to be addressed? And, if such a hearing is not held, can the court claim that since the litigant has not presented the forged document in a hearing that has not transpired, that an insufficient claim of forgery has been made? And, can such process be called due process?

2. Can defendants have ex-parte communications with a magistrate judge and receive ex-parte orders, which are never allowed to be challenged in an open hearing? And, under such circumstances, can a magistrate judge refuse to recuse herself? Does this not violate due process?

3. Can orders be allowed to issue, with blatant denials of due process, that are in contradiction to the law [including but not limited to the Federal Rules of Civil Procedure (FRCP)], especially when such orders cover-up obvious government corruption; bribery of officers of the court and; perjury by state court judges in federal court as defendants alleged to violated federal laws? All of which conveniently coincide with and abet malicious denials of due process in state court? And, which cover-up serious,

well documented federal questions?

4. Is the naming of a bank account as the source of bribes and demanding the subponeaing of records therein, considered a frivolous claim of bribery that the courts can ignore?

PARTIES

PETITIONER:

Harlow Zirkind, a.k.a. Givon Zirkind, residing at 547 Wyndham Road, Teaneck, NJ, 07666.

RESPONDANTS:

State of New York, represented by Attorney General, Dennis Vacco, 120 Broadway, 25th floor, NYC, NY, 10271.

E. Leo Milonas, Chief Administrative Judge of the Office of Court Administration, 270 Broadway, NYC, NY 10007. Represented by NYS Attorney General.

Justice Philip C. Segal, Family Court Judge, Brooklyn Family Court, resides at 209 Strattford Road, Brooklyn, NY 11218. Represented by NYS Attorney General.

Former Brooklyn Family Court Justice Karen S. Burstein, residing at 258 Broadway, Apt. #2C, NYC, NY 10007. Represented by NYS Attorney General.

N. G. Berrill, Ph.D., doing business at 26 Court Street, Suite 902, Brooklyn Heights, NY, 11242. Represented by Mary E. Pearson, Kopf, Nardelli & Dopf, 440 Ninth Avenue, NYC, NY 10001.

Nick Chimenti a.k.a. Nicholas Chimienti, having an office, clinic and supervised visitation program located at 1650 Coney Island Avenue, Brooklyn, NY 11230. Represented by Micheal J. Devereaux, D'Amato & Lynch, 70 Pine Street, NYC, NY 10270.

Cyd Martori is an officer, treasurer, for the corporation Mapleton-Midwood Community Mental Health Board Inc. a.k.a. Mapleton Service a.k.a. Mapleton Supervised Visitation Program located at 1650 Coney Island Avenue, Brooklyn, NY 11230. Represented by Joseph E. Macy, Berkman, Henoch Peterson & Reddy, P.C., 777

Zeckendorf Boulevard, Garden City, NY 11530-2112.

Mark A. Feldman, Esq., doing business at 1717 East 18th Street, Brooklyn, NY, 11229. Represented by Barbara A. Sheehan, Esq., Walsh & Sheehan, 460 Park Avenue, NYC, NY 10022.

Stella Arsenakos, Esq. doing business at 26 Court St., Suite 606, Brooklyn, N.Y. 11242. Pro Se.

Mazal Zirkind, residing at 652 Lefferts Avenue, Brooklyn, NY 11203. Represented by Andrew Plasse, Esq. 225 West 34th. Street, NYC, NY 10122.

Herschel Kurzrock, residing at 1347 48th St, Apt A5, Brooklyn, NY 11219 is being sued personally and as an officer, secretary, of the Rabbinical Alliance of America. Represented by Tomas Greenberger, Esq. 5105 New Utrecht Avenue, Brooklyn, NY 11219.

Mendel Epstein, residing at 531 East 9th Street, Brooklyn, NY 11218. Represented by Tomas Greenberger, Esq. 5105 New Utrecht Avenue, Brooklyn, NY 11219.

Bernadette Cadore, Family Unit Worker, representing the Commissioner of Social Services, Department of Social Services of New York City and the Human Resources Administration of New York City with a serviceable address located at: The Office of Legal Affairs, Human Resources Administration, City of New York, 220 Church Street, Room 637, New York, New York 10013.

Michael Infranco, is the Deputy Commissioner of the Office of Child Support Enforcement, located at 66 Leonard Street, Room 824, NYC, NY 10013. Represented by the City Corporation Counsel, 100 Church Street, NYC, NY 10007.

TABLE OF CONTENTS

QUESTIONS PRESENTED FOR REVIEW: i

PARTIES iii

TABLE OF AUTHORITIES v

PETITION FOR A WRIT OF CERTIORARI 1

OPINIONS BELOW 1

JURISDICTION: 1

STATUTES 2

STATEMENT OF THE CASE 3

HISTORY 4

- NYS FAMILY COURT CASE 4
- APPEAL OF NYS FAMILY COURT CASE 8
- DISTRICT COURT CASE 95-CV-931 [ERK] 9
- NYS Civil Rights Cases 15
- APPEAL 98-9461 FROM DISTRICT COURT CASE 95-CV-931 16

FEDERAL QUESTIONS THAT WERE POSED TO THE DISTRICT COURT 16

ARGUMENT 22

TABLE OF AUTHORITIES

The following authorities are cited directly in the petition:

16 Am. Jur. 2d, Constitutional Law, Section 543 15
Columbia Journal of Law: New York's GET Laws: A Constitutional Analysis, Columbia Journal of Law and Social Problems, Fall 1993, Volume 27, Number 1 20
Lynumn v. Illinois, 1963 19

The following statutes are cited directly in the petition:

13th Amendment, Section (1) 19
14th Amendment 15
4th Amendment 15
NYS Civil Rights Laws 15
NYS Domestic Relations Law 240 & 253 20

The following government reports have been cited directly in the petition:

Center for Disease Control Reports 13
NYS Child Support Standards Act [CSSA] Evaluation Project 1993 13
Office of Court Administration Reports 13
(Report of the Chief Administrator of the Courts, Pursuant to Judiciary Law Section 216(5), New York State)

Citations of the official and unofficial reports of the opinions and orders entered in the case by courts or administrative agencies:

These citations are voluminous and are therefore included in the Appendix. They are referenced throughout the petition to

the exhibit number in the appendix.

The Table of Authorities from the Reply to State, [this Appendix, Exhibit 5, (pg 49)] is hereby included by reference.

The Table of Authorities and Citations of Law from the Appeal 98-9461, Appendix, Exhibit 16, (page 301), are hereby included by reference.

The following authorities from Appendix, Exhibit 7:

Cases:

Daubert v. Merrell Dow Pharmaceuticals Inc., 125 L. Ed. 2d 469, 113 S. Ct. 2786 (U.S. June 29, 1993)
.....Appendix, page 130
Frye v. United States, 54 App. D.C. 46, 293 F. 1013 (D.C. Cir. 1923) .....Appendix, page 130

Opinions and Documents:

Ethical Principles of Psychologists and Code of Conduct by the American Psychological Association (APA)
.....Appendix, page 130
Guidelines for Child Custody Evaluations in Divorce Proceedings by the APA ....Appendix, page 130

Other official Government Reports referenced:

US Census Bureau, Current Population Reports, Population Characteristics, Series P-20, No. 461

US Dept of Health and Human Services, Centers for Disease Control and Prevention, Monthly Vital Statistics Report, Vol.

43, No. 9, Supplement, March 22, 1995, tables 18, 19 and 20

PETITION FOR A WRIT OF CERTIORARI

Petitioner Harlow (Givon) Zirkind respectfully prays that this Court grant a writ of certiorari to review the judgment and opinion of the United States Court of Appeals for the Second Circuit entered on October 27, 1999.

OPINIONS BELOW

The United States Court of Appeals for the Second Circuit entered an order dated October 27, 1999, in case number 98-9461 [See Appendix, Exhibit 1] upholding the order of the US District Court, Eastern District of New York entered on January 9, 1997 and the corrected order of January 24, 1997 in case number 95-CV-931 [ERK] [See Appendix, Exhibt 2].

JURISDICTION:

Jurisdiction of this court is invoked under Rule 10, subparagraph (a), contending that the United States Court of Appeals for the Second Circuit entered an order dated October 27, 1999, in case number 98-9461 [See Appendix, Exhibit 1] upholding the order entered on January 9, 1997 and the corrected order of January 24, 1997 in case number 95-CV-931 [ERK] of the US District Court, Eastern District of New York [See Appendix, Exhibt 2], which said decision of said appeal has so far departed from the accepted and usual course of judicial proceedings and sanctioned such a departure by the lower court, as to call for an exercise of this Court's supervisory power.

As the New York State (NYS) Attorney General (AG) is the attorney on record for several defendants of 95-CV-931 and

98-9461, the NYS AG is therefore being served with a copy of this petition. Therefore, the necessary notifications [to the NYS AG] required by Rule 29.4(b) and/or (c) have been made.

Jurisdiction is also invoked pursuant to the 13th and 14th Amendment of the Federal Constitution as well as 42 USC 1983 and 1985.

STATUTES

Citations of statutes, especially NYS statutes is voluminous and the exact citations have therefore been included in the Appendix, Exhibit 4. Below are the titles of the statutes cited:

FEDERAL CONSTITUTION

Article III Section 2[1]; Amendment XIII Section 1 & Amendment XIV Section 1.

USC TITLE 42;

Section 652; 654 & 655.

NYS CONSITUTION

ARTICLE I

Section 2 & 9.

ARTICLE VI

Section 13 & 18.

ARTICLE XIII

Section 1.

NYS CIVIL RIGHTS LAW

Section 2; 3; 8; 10; 11; 12; 70; 71 & 73.

SOCIAL SERVICE LAWS

Section 29; 397; 444; 446.

NYS FAMILY COURT ACT

Section 145; 812; 842; 827; 828.

NYS JUDICIARY LAW

Section 216; 476-a; 476-b; 476-c; 487.

STATEMENT OF THE CASE

In brief, the nature of the case. The course of the proceedings. Disposition in lower court:

The instant case has its roots in NYS Family Court, King County, docket O-5998/93, V-8536/93 and V-8537/93 [See Appendix, Exhibit 3]. NYS Family Court is a very corrupt court whose officials and entire infrastructure is based upon heinous violations of due process which totally trample upon the 14th Amendment of the federal constitution and the very essence of democracy. The evidence thereto, from official government reports was submitted as part of the federal questions before the district court [and mentioned below, see Appendix, Exhibit 5, Reply to State for Appeal 98-9641, Table of Authorities and the Section, Proof of State Policies

of discrimination in domestic relations, paragraphs number 76 thru 82 inclusive.]. These very same assertions were made during the proceedings of 95-CV-931 USD EDNY and never denied by the defendants.

From the inception of NYS Family Court cases and all throughout the history of the federal case, USD EDNY 95-CV-931 and companion cases challenging the violations of due process and civil rights; there has been numerous, heinous and grotesque violations of due process and civil rights to abuse the courts as a tool of aggression and as a private religious inquisition. This has been facilitated by corrupt and racist court officials on all levels.

The petitioner's appeal USCA 98-9641 USCA, 2nd Cir. is hereby incorporated by reference. [See Appendix, Exhibit 1, petitioner's reply brief.]

HISTORY

NYS FAMILY COURT CASE

The family court case V-8536/-7/93 was decided on January 19, 1995. The pertinent parts of the history of the NYS Family Court case are:

That Judge Karen Burstein never conducted an emergency hearing without any reason given on record as to why Judge Burstein deviated from this legal requirement and due process. [See Appendix, Exhibit 3, initial order of protection.]

That Judge Karen Burstein did not conduct any trial on the merits of the temporary ex-parte order of protection issued within the six month time limit set by law [NYS Family

Court Act (FCA)] [See Appendix, Exhibit 6, Extension notices].

That Judge Karen Burstein extended all the hearings beyond the six month limitation for issuance of a temporary ex-parte order of protection without any reason or evidence of any kind in derogation of the NYS FCA statutes.

That Judge William Rigler denied due process by refusing to hear a habeas corpus on the matter of an unheard family court case as required by NYS statute. [See Appendix, Exhibit 25].

Judge Philip C. Segal never conducted any hearings or no trial of any kind, in derogation of the law. [See Appendix Exhibit 12, Decision NYS Appelate Division]

Judge Philip C. Segal issued an order of protection for 13 years. There is no law in the state of NY that permits such an order of protection. [See Appendix, Exhibit 12, NYS Appellate Division's decision overturning Judge Segal's decision because no such law exists.]

The petitioner maintains that Judge Segal's issuing orders without basis in law, permitting perjury, permitting bribery, aiding and abetting bribery, in his courtroom was partially motivated by the animus of the NYS judiciary towards several classes that the petitioner is a member of. The brutal abuse of discretion by Philip C. Segal is evidence enough that Judge Segal acted as a minister of his own hatred in violation of the 14th Amendment of the federal constitution and his own previous rulings, based upon Lyman v. Illinois [which requires trials and hearings in child custody cases]. Judge Segal's actions can not be misconstrued as judicial discretion in shape, manner or form.

The court appointed psychologist Dr. NG Berrill committed malpractice by submitting a sworn affidavit and psychological evalution with a recommendation denying the petitioner custody and visitation without ever having met the petitioner. [See Appendix, Exhibit 10. All citations and arguements made before the district court are hereby included by reference.] In addition, the petitioner maintained that Dr. Berrill was bribed by the Agunah cult from the Agunah cult's Citibank account# 799133442.

Mazal Zirkind's attorney, Mark A. Feldman, Esq. committed witness tampering by telling the petitioner's subpoenaed witness, Rabbi Israel Kleinman, E.M.T. [Emergency Medical Technician], not to appear in court. [See Appendix, Exhibit 9, Subpoena]. This charge was stated in the Complaint, paragraph 39.

Mark A. Feldman, Esq. demanded on the record that the petitioner be ordered to perform a religious ritual, the Jewish divorce ritual the giving of a 'GET'. The petitioner's attorney stated that the request is unconstitutional and the matter was never openly addressed . [See Appendix, Exhibit 24, copy of transcript], but off the record it was addressed. Most notably, the issue was raised again when Judge Burstein told the court reportor to stop transcribing the testimony of sworn witness -- who was also a rabbi -- and Judge Burstein began asking questions about how to coerce a husband to perform the GET ritual. Judge Burstein stated at that time, "Here [in NYS], we have the GET laws." Former Judge Burstein was referring to NYS Domestic Relation Law 240, 253 and other laws. This fact was raised in the Complaint of 95-CV-931 and never denied by former Judge Burstein.

In addition, despite the fact that Mr. Feldman denied any connection with the Agunah cult; the first bill of costs

submitted to the Family Court before Judge Burstein included charges for consultation time with the so-called *rabbi* Mendel Epstein head of the Agunah cult and known drug money launderer. [No seminary has ever confirmed Mr. Epstein's ordination.] [The petitioner attempted to have witnesses, who were named in writing, testify to Mr. Epstein's money laundering activities. This too was denied by the Magistrate.] After the allegation was made that Mr. Feldman was being paid by the Agunah cult's church Agunah Inc. to maliciously prosecute the petitioner and; the petitioner took this information to the authorities; Mr. Feldman submitted a second bill of costs before Judge Segal, with different monetary charges and deleted his consultations with Mr. Epstein from the bill. The original bill of costs was removed from the record.

The petitioner maintains that the family court case and all family court cases issuing therefrom, were nothing more then a malicious prosecution and abuse of process perpetrated by the respondants as an act of extortion to submit to kangaroo arbitration before the respondants' so-called rabbinical court as well as to consent to an unequitable divorce. [See Appendix, Exhibit 11]

It is brought to the attention of this court that NYS Family Court does **NOT** have original jurisdiction over divorce matters [See Appendix, Exhibit 4, Citations of Law, NYS Constitution, Article IV, Section 13, paragraph b, subsection (2)]. And, neither the petitioner nor the respondant, Mazal Zirkind, filed for divorce, for at least **several years** after the NYS Appeal had been decided. In fact, both parties are still completely married. The petitioner therefore asks: Why then is "divorced" and "ex-wife" written all over the NYS Appellate Division's decision? [See Appendix, Exhibit 12] And, why did the NYS Attorney General use the term "ex-

wife" in responsive papers before the District Court? Quad Errat Demonstratum, that Family Court exceeded its jurisdiction to make a divorce and the NYS judicial machinery did everything in its power to cover-up this excess of jurisdiction and denials of due process.

Also, the respondant and Mr. Feldman cliamed that the petitioner "was going to run off to Israel". This statement was supported by a distortion of a letter from the petitioner's attorney stating the petitioner's **legal** courses of action. [See Appendix, Exhibits 3 & 25] This letter is privileged information and furthermore, was addressed to the petitioner's business, not home in contradiction to the respondant's affirmed affidavit to family court [See Appendix, Exhibit 3]. This letter was inadmissable as evidence, pursuant to the 4th Amendment of the federal constitution and NYS Civil Rights laws [See Appendex, Exhibit 4, Citations of Law, NYS Civil Rights Law (CRL) Section 8]. In addition, it was obtained by tampering with the US mail. As soon as this was brought to the attention of the authorities, the letter disappeared from the file before Judge Burstein and up until the NYS appeal, it was not returned to the file. [The petitioner has not recently checked the file.]

[It is interesting to note, that at the same time that Judge Burstein accepted this inadmissable evidence, Judge Burstein refused to accept a copy of the Child Welfare Association's report stating that investigations found no signs of abuse. [This was submitted as Exhibit 11 of the Motion to Strike Against NYS. See Appendix, Exhibit 14.]

APPEAL OF NYS FAMILY COURT CASE

The decison for Appeal 95-01328, 95-01491, 95-01494 & 95-01497 were entered on August 21, 1995 [See Appendix,

Exhibit 12]. The pertinent parts of the Appeal in the NYS Appellate Division are: 1) The overturning of Judge Segal's order for 13 years exclusion that is based upon no law, for the maximum one year exclusion permitted by law. [NYS FCA 842, See Appendix, Exhibit 4, Citations of Law] 2) Upholding Judge Segal's right to not give the petitioner a hearing and trial.

The petitioner asks all logical persons: If there were no aggravating circumstances, then what signs of abuse were there? And, how could there have been signs of abuse, without aggravating circumstances? And, how could there have been evidence without hearings, testimony of witnesses and trials?

In addition, if family court cases are confidential by statute; then why is the petitioner's full name publicized in a published decision?

DISTRICT COURT CASE 95-CV-931 [ERK]

Those parts of the proceedings pertinent to this writ:

The petitioner filed on August 21, 1995 by US certified mail, return receipt requested an injunction against the Support Enforcement Unit (SEU), Dept. of Social Services (DSS) enjoying the collection of child support. In addition, at that time and with that filing, the petitioner notified the court and the NYS AG, that the NYS AG's motion to dismiss had not been signed. Both the injunction and the matter of the missing signature were malicously misfiled and presented neither to the judge nor magistrate judge for consideration. [Magistrate Caden was the magistrate judge at the time. Subsequently, the case was administratively reassigned to a new Magistrate Cheryl L. Pollack.]

This was no accident. Judge Korman's signature was forged to facilitate interception and altering of the docket sheet.

The Pro Se clerk, to whom all evidence points is M. Ceclia Volk.

A contempt on the matter with all the pertinent respondants was filed with the court [See Appendix, Exhibit 13] and never heard.

M. Cecilia Volk is known for her corruption and similar acts of tampering with the document in similar cases brought against the NYS Office of Court Administration (OCA). I.e. Cases of abject corruption, denials of due process and bribery in family court. M. Cecilia Volk was caught red-handed, by Judge Weinstien [of the Eastern District] altering the docket sheet in a case before Judge Weinstein. That was the case of Sharon Ruddy-Stendardi vs. NYS, et.al. Mrs. Ruddy-Stendardi suffered similar injustices in NYS family and supreme court. As Mrs. Ruddy-Stendardi alleged in the District Court of the Eastern District of New York, and it was never denied, Mrs. Ruddy-Stendardi's husband, ia member of the Gotti crime family, in concert with corrupt NYS OCA officials, bribed M. Cecilia Volk to tamper with Mrs. Ruddy-Stendardi's filings and not docket many of Mrs. Ruddy-Stendardi's papers.

A motion to strike [See Appendix, Exhibit 14] was filed against the NYS AG's unsigned motion to dismiss. This motion was never addressed. The NYS AG had been given ample time, pursuant to the FRCP [as cited in the Appendix, Exhibit 16] to resubmit a signed motion and did not. The District Court never stated any 'good cause' for allowing the NYS AG to deviate from procedure. In addition, as the

petitioner argued before the US Court of Appeals (USCA), the NYS AG relied upon bribery and violations of due process to "win", "fix" the case instead of cogent, viable, legal arguements and procedure.

NYS Family Court Judge Segal was represented by the NYS AG who submitted a motion that contained irreconciable contradicotry statements on the behalf of NYS Family Court Judge Segal. As argued in the appeal before the USCA, Judge Segal committed statutory perjury. [See Appendix, Exhibit 16, Point III, Section B, Paragraph 4, (page 101 of the Appendix)] Although the NYS AG feigned stupidity when responding to this matter, the NYS AG never reconciled the words with the facts and their contradiction:

How could Judge Segal have given a trial and made a decision on motion papers only? And, how could Judge Segal have given a trial, when his decision states that he refused to give the petitioner a trial and will continue to refuse to give the petitioner a trial until the petitioner will go to a psychological evaluation by only one social worker on the planet -- N.G. Berrill? And, how can Judge Segal say he gave the petitioner a trial when the NYS Appellate Division's appeal decision clearly states that Judge Segal did not give the petitioner a trial and upholds Judge Segal's for not having given the petitioner a trial? without citing a law!

In addition, the magistrate had ex-parte communications with the defendants. One example of said ex-parte communications -- but not limited to this occurrence -- occurred on December 19, 1995, when the defendant Mark A. Feldman entered chambers and received an ex-parte order denying the petitioner's injunction against Mr. Feldman [See Appendix, Exhibit 15]. This ex-parte order was challenged at a January 4, 1996 status conferenece, during which the

magistrate conceded to said facts [that the order was ex-parte, and that the magistrate had had ex-parte communications with the defendant] on the record, when the appellant, Harlow Zirkind, stated such facts and contested the ex-parte order.

This ex-parte order facilitated initiating a malicious prosecution NYS Family Court case# V-8536-7/93 against the petitioner -- the legal claim against the petitioner was not permitted by law as the identity of informants of child abuse is confidential by federal and NYS statute [NYS Social Service Law 444. See Appendix, Exhibit 4, Citations of Law, and Exhibit 17]. The arguments of Appendix, Exhibit 16, are hereby included by reference.

This court should note this case, NYS Family Court case# V-8536-7/93, was constantly scheduled to be heard the day before each hearing in the District Court where Judge Segal was a defendant for violating due process. Judge Segal made constant written threats of incarcerating the petitioner. This was mere abuse of process by Judge Segal to "fix" the proceedings of 95-CV-931 and harass the petitioner by lawsuit for the petitioner's lawful claims against Judge Segal.

In addition, this court should note that Judge Segal refused to abide by the law and remove the case to criminal court. [See Appendix, Exhibit 4, Citations of Law, NYS FCA Section 812, paragraph 5].

In addition, as there was no divorce, what does the NYS Family Court petition [Appendix, Exhibit 17] mean by "threaten to return home", especially when the petitioner and respondent are unto this very day still 100% legally married [in spite of the petitioner's attempt to get divorced]. This is only further proof, that family court has been exceeding its

jurisdiction and making sum and substance divorces.

In addition, corrupt NYS court officials had the police of Teaneck, NJ, in their official capacity, attempted to serve the petitioner with a summons to NYS Family Court. The police officers who were ordered to serve the summons, even confessed to the resident of the assumed domicile of the petitioner [See Appendix, Exhibit 26, Copy Affidavit submitted with Injunction against Teaneck Police], that they [the police] had not jurisdiction to serve the summons and did not understand why they [the police] were ordered by their superiors to serve the summons.

As to further contempt issues before the district court: The petitioner had, and still has, a tape recording, contradicting the sworn [affirmed] statement of the defendant, the so-called *Rabbi* Hershel Kurzrock has never met with the petitioner. *Rabbi* Kurzrock's Affirmation in Support of Motion to Disimiss, dated 19th day of July, 1995 paragraph 8, "To the best of my knowledge and recollection , I do not remember having spoken to the plaintiff herein. I never called him and I do not believe he ever called me." I.e. Hershel Kurzrock can not claim that Mr. Kurzrock had never met with the petitioner, when there is a tape recording of approximately one hour's duration of the meeting between the petitioner and Mr. Kurzrock. Said, conversation contains mostly threats that the petitioner must comply with Mr. Kurzrock's arbitration request and sign blanket consent forms "or else". Mr. Kurzrock has yet to be define on the witness stand, what exactly Mr. Kurzrock meant by "or else". A contempt of court motion was filed pertaining to this matter and this contempt motion was also not heard by the district court judge.

In addition, Mark A. Feldman, committed perjury -- as a

defendant before the district court [See Appendix, Exhibit 20]. Mark Feldman made statements in contradiction to fact that Mr. Feldman had not tampered with a subpoaned witness because there had been no subpoenaed witness. Yet, the petitioner produced a subpoena. However, not only did the Magistrate Judge not hold Mr. Feldman in contempt. For no explicable reason, in deviation to the FRCP, the Magistrate Judge, allowed Mr. Feldman to submit new papers -- **NOT A RESPONSE BUT NEW PAPERS** -- to the court correcting Mr. Feldman's initial perjury by simplying deleting the perjurous statements from the record.

The district court adopted the magistrate's recommendation [See Appendix, Exhibit 2] and dismissed the case without prejudice on January 9, 1997, ordering the plaintiff to seek his state remedies. As argued in the appeal before the USCA [See Appendix, Exhibit 16] which is hereby included by reference, the magistrate's recommendation is based upon the summary judgment motions of the defendants. The summary judgment motions of the defendants are based upon perjury, acts of obstruction of justice and forging the Honorable Judge Edward R. Korman's signature to deny the plaintiff due process. Therefore, the petitioner argued before the district court and upon appeal, that the magistrate's recommendation and the following judicial order which are based upon perjury, obstructions of justice and forging the district court judge's signature can not be upheld and should be stricken.

In addition, throughout the federal court proceedings, the petitioner maintained that there had been bribery by the defendants, including but not limited to, the sources of Agunah Inc., the church of the self proclaimed Rabbi Mendel Epstein, from Citibank a/c 79933442 and other bank accounts. [See Appendix, Exhibit 8]. Judge Korman issued an order that this should be investigated. Magistrate Pollak

issued an order to open these bank accounts [See Appendix, Exhibit 8]. With all impunity and abject contempt of court, the defendant, Mark A. Feldman, wrote a letter to Citibank, to disregard the Magistrate's order and Citibank refused to comply.

(During the proceedings of the appeal, the petitioner was able to ascertain that the law guardian, Stella Arsenakos, Esq. defendant, Pro Se, had likewise been bribed by Agunah Inc. and had cashed the check with the supervised visitation center, Mapleton-Midwood Community Health Center, defendant, whose ex-parte appointment had been secured by Stella Arsenakos.) This too was incoporated into the appeal and not denied by Stella Arsenakos.

NYS Civil Rights Cases

Pursuant to the order of 95-CV-931 USD EDNY, the petitioner attempted to file NYS Civil Rights cases pursuant to the NYS Civil Rights Laws and NYS Bill of Rights that is part of the NYS Constitution [See Appendix, Exhibit 4, Citations of Law, NYS Civil Rights Laws, Section 2, 3, 8, 10, 11, 12, 21, 70, 71 & 73] which guarantee the same rights as the 1st, 4th, 13th and 14th Amendments [See Appendix, Exhibit 4, Citations of Law, and Appendix, Exhibit 18, NYS Civil Rights cases]. However, the clerks in NYS Supreme Court refused to file the petitioner's cases, especially the Poor Man Status motions [See Appendix, Exhibit 19, memo refusing to file cases]. This action of refusing to file court cases, in addition to all other denials and violations of due process, demonstrates that the petitioner can not seek any relief of any kind in the NYS court system.

The arguments of these NYS Civil Rights cases, Appendix, Exhibit 18, are hereby incorporated by reference.

APPEAL 98-9461 FROM DISTRICT COURT CASE 95-CV-931

The petitioner filed a Notice of Appeal by US Mail with the district court on January 15, 1997. However, the docketing sheets state the Notice of Appeal was filed Jan. 22, 1997. The Pro Se appellant filed said Notice of Appeal in order to preserve his rights. The Pro Se appellant was fully aware of an order from the US Court of Appeals barring the appellant from filing any appeals with the US Court of Appeals. Therefore concurrently, the appellant filed via US mail a Petition for Leave to Appeal with the US Court of Appeals. This Petition for Leave to Appeal was mailed on January 15th, 1997 and received on January 22, 1997. This petition was granted on or about November 2, 1998: **ALMOST TWO YEARS AFTER THE DISTRICT COURT'S DECISION!** Justice delayed is justice denied. Why was justice delayed?

The appeal [See Appendix, Exhibit 1] was decided on October 25, 1999 denying the petitioner's claims.

FEDERAL QUESTIONS THAT WERE POSED TO THE DISTRICT COURT

There is diversity of citizenship between the petitioner and respondants.

That orders of protection without hearings, evidence and trials are unlawful exile proscribed by the Federal Constitution and Bill of Rights. [See Complaint and Plaintiff's Memorandum of Law 95-CV-931] "No freeman shall be taken, or imprisoned, or disseised, or outlawed, or exiled, or anywise destroyed; nor shall we go upon him, nor

send upon him, but by lawful judgement of his peers or by the law of the land." 16 Am. Jur. 2d, Constitutional Law, Section 543. And, the 4th Amendment of the Federal Constitution.

That Judge Burstein violated the 4th Amendment, 14th Amendement and due process clause as well as the NYS Civil Rights laws guaranteeing those very same federal rights.

Diversty of citizenship requires federal intervention for child support collection. The petitioner demanded federal intervention.

In derogation of the federal laws and the corresponding NYS laws (Title 42, Sections: 652, 654 & 655, NYS Social Service Laws 29, & 446. See Appendix, Exhibit 4, Citations of Law), the Support Enforcment Unit [SEU] has no computer records. Evidenced submitted to District Court, Complaint, Exhibit 15 [of the Complaint] – Handwritten account statement.

Also, in derogation of the federal laws and the corresponding NYS laws (Title 42, Sections: 652, 654 & 655, NYS Social Service Laws 29, & 446. See Appendix, Exhibit 4, Citations of Law), SEU has inaccurate records.

That the NYS FCA and orders that require payment by cash or postal money order to SEU, is ridiculous and that ridiculous laws are unconstitutional. And, that said law's only function is to mask the inaccuracies and double, triple billings of SEU.

That in derogation of NYS laws, the Family Court and SEU has refused to recognize NYS laws that prohibit collection of child support from unemployed parents. That the petitioner has been at times an unemployed parent, filed motions for

downward modification and that both the NYS Family Court and SEU have refused to cease and desist from collecting child support at those times.

The Dept. of Social Services [DSS], SEU & Family Court are regularly engaged in extortionate over-assessments. In the instant case, there was extortionate over-assessment because the basis of their collection is an order for which no hearing or trial was conducted and the order issued based upon perjury as well as bribery. An order for taxation for which no hearing or trial was conducted is unconstitutional and a violation of the 13th Amendment, Section 1: As not "a punishment for a crime".

[Although this claim may seem absurd on the face, if one reads the anals of slavery as transcribed in The American Negro, by William Still, a conductor on the Underground Railroad; we find that forced servitude, and having to hire oneself out and give most of the salary to one's master – as the petitioner must – was slavery. Just the possession of the body by law is absent. And, that fining beyond the ability to pay, to ensure forced servitude was a common form of slavery.]

In addition, the NYS Family Court, in derogation of the NYS Family Court Act, did not reckon years of unemployment into the assessment, but only considered the plaintiff's current year salary.

In addition, SEU, in derogation of the NYS Family Court order, has been persistently attempting to collect more than ordered by the court and with all impunity refuses to corrects its records.

NYS Family Court, child support division is operating on a

regular basis in violation of due process as evidenced by the NYS Child Support Standards Act [CSSA] Evaluation Project 1993; Office of Court Administration Reports, Center for Disease Control Reports cited in the Appeal. See Appendix, Exhibit 5.

Twenty percent [18%] of all child support cases have transciprts missing. This allegation was never denied before the district court or US Court of Appeals.

Sixty-six percent [66%] of all cases have an evidenced income being inflated one-hundred fifty [150%] without evidence or explanation by the court. This allegation was never denied before the district court or US Court of Appeals.

Sixty-six percent [66%] of women are **NOT** asked to verify income while only thirty-three [33%] of men are not required to verify income. This allegation was never denied before the district court or US Court of Appeals.

NYS family and divorce courts are awarding less than four percent [4%] paternal custody and eighty percent [80%] maternal custody [ten percent [10%] other, grandparents, state, foster care facilities, etc.] However, the Center for Disease Control [a part of the Dept. Health and Human Services, a part of the Census Bureau] reports that the national average of paternal custody awards is approximately ten percent [10%]. The State of NY is awarding paternal custody a full two-thirds [2/3], sixty-six percent [66%], **BELOW THE NATIONAL AVERAGE** without any explanation of any kind. This allegation was never denied before the district court or US Court of Appeals.

The petitioner is qualified expert in the matter of data analysis, possesses a bachelors and masters of computer science as well as many years of experience in the field and has been retained as computer expert witness in the past. The petitioner is fully qualified to make these data analysis and statistical evaluatoins. This assertion was never denied

before the district court or US Court of Appeals.

The NYS family courts are operating in excess of jurisdiction as established by the NYS Constitution, by making ex-defacto divorces in family court by deciding: custody, child support and property settlement in family court which is effected by orders of protection and over-extended orders of protection. According to the NYS Constitution, only NYS Supreme can grant a divorce and trial by jury in a divorce matter is a right.

That Judge Segal violated the 14th Amendment by denying due process by not giving the petitioner a trial and that a trial is mandatory by NYS law. And; that if -- as the NYS Appealate Division maintains -- that family court has an option of denying a trial in revoking and usurping parental custody then, such a law and process be in contradiction and so repugnant to the federal constitution, humanity [as evidenced by the UN Declaration of Human Rights] and democracy; as well as so outrageous as to render such a law unconstitutional and an abject violation of the 14th Amendment of the federal constitution. Indeed, Judge Segal's actions are in direct contradiction to Lynumn v. Illinois, 1963; which Judge Segal has cited himself, but refuses to comply with in the instant case, in abject disregard for the law and due process. [The UN Declaration of Human Rights is only a declaration and not a treaty. Therefore it is not legally binding upon a participant nation. The United States is not a signatore to the UN Declaration of Human Rights. However, the petitioner presents this declaration as a baseline standard of human rights to parenting, family, fair access to courts and due process.]

That the attorney, Mark A. Feldman, Esq. committed perjury, followed an unconstitutional course of action and violated the 13th Amendment, Section (1), when Mr. Feldman requested an order for fees from NYS Family Court and; submitted contradictory affidavits as to the services

rendered, amount due and the sworn statement that Mr. Feldman's client had never paid Mr. Feldman at all while; Mr. Feldman's retainer agreement with Mazal Zirkind states that Mazal Zirkind has given Mr. Feldman a two thousand five hundred dollar ($2,500-) payment towards a ten thousand dollar ($10,000-) retainer fee. And; that Mr. Feldman violated the 13th Amendment, Section (1) in concert with Judge Segal who never held a hearing on the matter of fees and the contradictory affidavits as required by law.

That the petitioner was denied due process due to the discrimination and animus to men by the NYS judiciary and laws [as evidenced by the OCA reports] as argued in the Complaint [95-CV-931], the Appeal [USCA, 2nd Cir. 98-9461] and the above arguements. [Those arguements in the Complaint and Appeal, 98-9641, are hereby incorporated by reference.] See Appendix, Exhibit 5. Citations, therein included.

That the petitioner was denied due process due to the discrimination and animus to Jews by the NYS judicial system as evidenced by the GET laws a.k.a. the Equitable Distribution Laws, NYS Domestic Relations Law 240. The petitioner hereby incorporates by reference the argument for the unconstitutionality and violation of 1st Amendment rights by the GETS laws as presented in the Columbia Journal of Law: New York's GET Laws: A Constitutional Analysis, Columbia Journal of Law and Social Problems, Fall 1993, Volume 27, Number 1. This reference, all of its arguements and all its citations are hereby incorporated by reference.

The petitioner also claimed in counter-arguments that none of the state actors have 11th Amendment immunity as they have violated 14th Amendment rights. Even if this were [use of the subjunctive tense is emphasized] to have been unknowingly, they are still guilty of 14th Amendment violations. This included Mark A. Feldman, Esq. who definitely followed an unconstitutional course of action and

engaged in criminal violations of due process which can not possibly be misconstrued as "zealously" representing his client. And; who has known ties to the Agunah cult and its church Agunah Inc. from which Mr. Feldman receives funding for his legal services.

That Judge Segal initiated a hopeless conviction [hopeless by statute] and then issued warrants for arrests based upon hopeless convictions and then destroyed those warrants as well as altered the Family Court's records in order to cover-up his abuse of process to deny legal and lawful claims before the district court.

ARGUMENT

Quad Erat Demonstratum, from the inception of the family court case, to the US Court of Appeals, all the proceedings have been riddled with corruption, bribery and outrageous denials of due process. The federal courts are merely burying corruption with denials of due process and simply appear to be covering-up the corruption of the state courts [as argued before the USCA; See Appendix, Exhibit 5 & 16, and said argument is hereby incorporated by reference]. That the USCA refuses to publish this outrageous decision, only butresses the petitioner's claim that the USCA is trying to bury judicial corruption.

Contempt of court motions were filed during the course of the proceedings of USD EDNY 95-CV-931 [ERK] [See Appendix, Exhibits 13 & 20]. Pursuant to the FRCP and other laws cited in the Appeal, [See Appendix, Exhibit 16], a magistrate may conduct preliminary hearings on the matter, but the matter must be heard and decided by a judge. Furthermore, pursuant to the FRCP and other laws cited in the Appeal, [See Appendix, Exhibit 16], should a contempt motion be found true, then any motion for summary judgment

to dismiss is void and the case **MUST GO TO TRIAL**. There is no longer any discretion on the judge's part about dismissing the case. Once found guilty in a contempt hearing, **NO MATTER OF WHAT ISSUE**, the case must proceed to trial.

The reasoning for this law is quite simple. Once a party has been found guilty of any deception of any kind upon the court, then the veracity of all the matters within the court papers and all statements made are suspect. The truth is not known and must be decided upon trial.

The magistrate did hear the arguments concerning these contempt motions on January 4, 1996. Lists of witnesses were submitted to the magistrate [See Appendix, Exhibit 27. This did not include the testimony of the defendants themselves that was going to be requested at the hearing.]. The magistrate took no testimony, although she stated on the record that she would. In addition, as stated on the record, the magistrate did not accept all the evidence as certain evidence had to be accepted by the Honorable Judge Edward R. Korman during a hearing, by the Honorable Judge Edward R. Korman, himself. In addition, it was made clear in written motion papers and on the record that the plaintiff was -- and still is -- in possession of:

a) A copy of a document in the case USD EDNY 95-CV-931 with a **FORGED** signature of the Honorable Judge Edward R. Korman which was forged by the defendants and/or their agents to maliciously and premeditatedly violate due process. Since that incident, that plaintiff has accumulated numerous documents, all evidence of similar violations of due process.

b) A "media recording" contradicting the sworn [affirmed] statement of the defendant, the so-called *Rabbi* Hershel

Kurzrock.

As was made clear in written motion papers by the plaintiff to the court and during hearings before the magistrate and, the magistrate conceded on the record, due to the nature of some of the evidence i.e. the forged signature of the Honorable Judge Edward R. Korman, that the only man able to decide such a matter would the Honorable Judge Edward R. Korman, himself.

In regards to the perjury of the so-called *Rabbi* Hershel Kurzrock in his sworn statement to the court in his motion to dismiss; the Magistrate stated in her recommendation to the court [dated Dec. 20, 1996, pg 36] that "a potential dispute of fact" does appear. However, the disputed fact of "arbitration has no connection to any proceeding before the court." As the defendant has made a misrepresentation upon the court, and that misrepresentation was in a sworn affidavit, then the so-called *Rabbi* **HERSHEL KURZROCK HAS COMMITTED PERJURY UPON THE COURT**. In addition, pursuant to FRCP 56(g), *Rabbi* Kurzrock's motion to dismiss should have been striken in accordance with the law. It is crystal clear to anyone -- one need not be a legal beagle -- to understand the importance of Hershel Kurzrock's behavior and contempt of court, due process and procedure.

If the Magistrate does not understand the relevance to the instant case, that is irrelevant to the law. If the Magistrate does not understand the relevance of the subject of the perjury to the instant case, that is also irrelevant to the law. The matter perjured, the contempt of court, does not even have to be of relevance to the case to be perjury. Once an individual is found to be a liar, perjurer, and to have abject contempt of court, then that individual's motion to dismiss is automatically void and the case involved must proceed to

trial. It is not a matter of judicial discretion or decision if the case may proceed to trial: Pursuant to the cited FRCP, the case must proceed to trial.

To clarify the issue, the petitioner will reiterate that which was stated before the district court as to the relevance of the perjury of *Rabbi* Hershel Kurzrock as well as explain the acts of extortion in detail. Rabbi Kurzrock is accused of conspiring to a malicious prosecution, acts of extortion, especially by an abuse of process and other criminal behavior from which the plaintiff grievously suffered at the hands of Rabbi Kurzrock. All these acts were designed to coerce the petitioner to submit to the so-called rabbinical arbitration which really was nothing more than a demand that the petitioner perform religious rituals for the so-called *rabbis* Hershel Kurzrock and Mendel Epstein as well as to concede to an unequitable divorce settlement whose terms would be stated by Hershel Kurzrock and Mendel Epstein. As niether Mendel Epstein nor Hershel Kurzrock are judges in a court of law, how can they guarantee what a divorce settlement will be? [Every divorce settlement in NYS must be approved by a judge and often, in NYS, items are striken or amended by the judge.]

Mr. Kurzrock denied these allegations and made the statement that "He [Mr. Kurzrock] has definitely never met him [the petitoner]." Thereby, Mr. Kurzrock attempted to absolve himself of any possibility of having engaged in extortion and racketeering as well as never having been at any meeting with the petitioner. Yet, the petitioner is in possession of a media recording of at least one such meeting and several letters from Mr. Kurzrock demanding that the petitioner meet with Mr. Kurzrock. In addition, by looking at the timing of Mr. Kurzrock's letters to the petitioner, the court dates, the filing dates of various court papers as well as

other statements made on the record and other writings by Mazal Zirkind and her attorney of record in NYS Family Court, Mark A. Feldman, Esq; a textbook example of the notorious modus operandi of extortion by malicious prosecution by the so-called *Rabbis* Hershel Kurzrock, Mendel Epstein, the Hellenistic Jewish cult -- the Agunah cult -- Agunah Inc. and their agents becomes clear.

NOTE: Hershel Kurzrock's letters (See Appendix, Exhibit 11) were included in the Complaint as Exhibit 11. After receiving Hershel Kurzrock's first letter (dated Dec. 1, 1992), the petitioner met with Mr. Kurzrock at the time (Dec. 13, 1992) and place Mr. Kurzrock stated on the letter. The tape recording is from that meeting held on Dec. 13, 1992 with Mr. Kurzrock, Mazal Zirkind, her agents and the petitioner attending. The petitioner agreed to nothing at that meeting and signed nothing. The petitioner clearly told Mr. Kurzrock that the petitioner is not a member of Mr. Kurzrock's parish and to cease and desist from harassing the petitioner [by phone and in writing]. In addition, the petitioner told *Rabbi* Kurzrock, as for any divorce rituals, Mr. Kurzrock should refer the petitioner's wife to the petitioner's rabbi and; for formality sake, the petitioner gave Mr. Kurzrock that information, although Mazal Zirkind was in possession of that information already. Subsequently, as stated in the Complaint, the petitioner received, Mr. Kurzrock's last letter demanding that the petitioner reappear before Mr. Kurzrock and submit to Mr. Kurzrock's arbitration is dated, June 1, 1993. As per Mr. Kurzrock's instructions, Mazal Zirkind went to court and initiated her malicious prosecution based upon bribery and perjury on June 1, 1993. The date to confer with Mr. Kurzrock was June 8, 1993, prior to the return date to court June 23, 1993 (See Appendix, Exhibit 11, copies of Mazal Zirkind's petitions to NYS Family Court, also submitted as Exhibit 13 of the Complaint). Mr. Kurzrock,

Mazal Zirkind and their agents, all told the petitioner that they will drop the charges and allow the petitioner to see his children if the petitioner will agree to arbitration before Hershel Kurzrock and if the petitioner will agree to whatever divorce agreement Mr. Kurzrock draws up as well as pay Mr. Kurzrock negotiation fees for the "negotiation" of the divorce settlement as well as Mazal Zirkind's attorney fees.

As the "Rabbi" of Mazal Zirkind, does Mazal Zirkind emulate her so-called "rabbi's" behavior? Has Mazal Zirkind committed perjury upon the court also?

Did Mark A. Feldman, Esq. legal attache of the Agunah cultist rabbi and Hershel Kurzrock's so-called Rabbinical court and his co-cultist "Rabbi" Mendel Epstein, commit perjury upon the district court also?

These are all matters to be discussed and adjudicated at trial, by jury.

In spite of these extremely serious allegations, including but not limited to the forgery of the Honorable Judge Edward R. Korman's signature and the affirmative recommendation of the Magistrate Cheryl L. Pollak, for whatever reason, not one contempt of court motion was ever heard by the Honorable Judge Edward R. Korman during the instant case.

In addition, during the proceedings of the appeal, the petitioner filed several motions to strike and deny motions to appeal. See Appendix, Exhibit 21. The arguements in these motions are hereby incorporated by reference. Those appellants were given sufficient time to respond and did not. They were all attorneys. There is no excuse for allowing an extension of time. None was asked for. And, no reason was stated by the court. Mr. Greenberger even told the court -- by

written letter -- that he was not going to file a response and then, after the filing deadline, filed a response. As for Mark Feldman, again Mr. Feldman, Esq. was given multiple opportunities to respond to the court. When his responses were ludicrous and insufficient, the rules were violated and he was able to have an attorney file totally new responses -- after the filing deadline.

To stress just how the federal and state courts are working in collusion to deny the petitioner due process and his rights as well as politically persecute the petitioner:

At the conclusion of the Appeal 98-9461, on October 25, 1999, the very same day the USCA reached its decision, a child support case against the petitioner was decided [See Appendix, Exhibit 22]. Another coincidence? And, on or about the day that the District Court denies an injunction on the matter, Oct. 29, 1999, Mendel Epstein again, has one of his rabbinical courts send the petitioner another letter demanding that the petitioner appear before their rabbinical court and perform religious rituals as well as "to make a civil divorce". On the same day that the petitioner refuses to appear and perform religious rituals, then, the support court issued a warrant for the petitioner's arrest. Again, the initiation of faimily court proceedings is exactly timed with the petitioner's refusal to appear before a bogus rabbinical court of Mendel Epstein for an extortionate, unequitable divorce settlement!

Resolution to an interstate child support issue was not sought in the proper venue of federal court. Again, the petitioner's contempt motion in state court was neither addressed nor heard [See Appendix, Exhibit 23]. Again, the state court, refused to address the issue of the constitutionality of its actions. Again, the court had deviated from procedure and

not affixed it's seal to alleged court orders. Only after suing about the absence of a seal in federal court, did the state court deign to comply with its own laws. [See Appendix, Exhibit 24] Again, due process had been denied.

In addition, this court should note, that the actions of Mark A. Feldman, Esq. and Philip C. Segal taint all members of the bar and; the active inaction against bringing Philip C. Segal to justice, taints all judges.

This court should bear in mind, that this seriously aggreived citizen has no criminal record of any kind, no points on his drivers license and not even outstanding parking tickets. The only legal issues against this aggreived citizen is the aggravated harrassment by lawsuit and hopeless convictions of NYS Family Court. Even the orders of protection issued by NYS Family Court, by statute [NYS FCA 828(2), See Appendix, Exhibit 4, Citations of Law], are considered "not findings of wrong doing" precisely because they are issued without evidence, hearings and facts.

Wherefore, the petitioner, a gravely aggreived citizen respectfully requests that this court:

1. Exercise its supervisory powers in the face of many acts of corruption and denials of due process and order the district to hold the contemptors in contempt and punish the contemptors with fines, jail terms and sanctions and;
2. To order the district court to conduct contempt of court hearings to publicly expose the contemptors in an open courtroom, open to the public and press, for the contemptors heinious violations of due process and;
3. Order the respondants motions to dismiss striken and squashed and;
4. Order the production of financial records so ordered by

Judge Korman and Magistrate Pollak and;

5. If the financial records have been "lost" over the five (5) year delay in compliance with the Notice to Produce, then the claims of bribery thereto, should be assumed true and;
6. Order the deposition of witness whose depositions had been requested of the court and;
7. Order the district court to immediately conduct a trial by jury on the matters before the court and;
8. Order the recusal Magistrate Pollak from the case and;
9. Order the respondants to pay for the cost of this petition, being it so ridiculous that the petitioner should have to seek the aid of the US Supreme Court for the most basic elements of due process and;
10. Grant the petitioner, the Order of Protection requested before the district court, against the State of NY, the police of New York City, especially the 66th & 70th Precincts, SEU, DSS and the family courts of NYS and;
11. Any other relief this court deems proper.

Harlow Zirkind
547 Wyndham Road
Teaneck, NJ 07666
201-836-7557